

Fill in this information to identify the case

Debtor 1 David Saunders

Debtor 2 Joan Saunders
(Spouse, if filing)

United States Bankruptcy Court for the: EASTERN District of PA

(State)

Case number 16-11555

Official Form 410S1

Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor Wilmington Savings Fund Society, FSB, d/b/a
Christiana Trust, not individually but as trustee
for Pretium Mortgage Acquisition Trust

Court claim no. (if known) 12

Last four digits of any number
you use to identify the debtor's
account:

3581

Date of payment change

Must be at least 21 days after date of
this notice 2/1/2020

New total payment:

Principal, interest, and escrow, if any \$1,248.85

Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtor's escrow account payment?

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law.
Describe the basis for the change. If a statement is not attached, explain why: _____

Current escrow payment: \$399.05

New escrow payment: \$352.98

Part 2: Mortgage Payment Adjustment

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: _____%

New interest rate: _____%

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. *(Court approval may be required before the payment change can take effect)*

Reason for change: _____

Current mortgage payment: \$_____ New mortgage payment: \$_____

Debtor 1 David Saunders
First Name Middle Name Last Name

Case number (if known) 16-11555

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.
☐ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

x /s/ Karina Velter
Signature

Date December 4, 2019

Print: Karina Velter

Title Attorneys for Creditor

Company Manley Deas Kochalski LLC

Address P.O. Box 165028

Number Street

Columbus, OH 43216-5028

City State ZIP Code

Contact phone 614-220-5611

Email amps@manleydeas.com



Case 16-11555-jkf Doc Filed 12/04/19 Entered 12/04/19 17:52:47 Desc Main Document Page 4 of 11
 Rushmore Loan Management Services
 P.O. Box 55004
 Irvine, CA 92619

TAXES \$2,520.77
 HAZARD INS \$1,715.00

**ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT
 AND CHANGE OF PAYMENT NOTICE PREPARED FOR:**

Loan Number **Redacted**
 Analysis Date: 11/20/2019

DAVID SAUNDERS
 8122 RUGBY ST
 PHILADELPHIA, PA 19150-2413

Redacted

Redacted

NEW MONTHLY PAYMENT IS AS FOLLOWS:

Principal and Interest \$895.87
 Required Escrow Payment \$352.98
 Shortage/Surplus Spread \$.00
 Optional Program Payment \$.00
 Buydown or Assistance Payments \$.00
 Other \$.00

TOTAL MONTHLY PAYMENT \$1,248.85
NEW PAYMENT EFFECTIVE DATE: 02/01/2020

FOR BORROWERS IN BANKRUPTCY OR BORROWERS WHOSE DEBT HAS BEEN DISCHARGED IN BANKRUPTCY, THIS IS AN INFORMATIONAL STATEMENT AND IT IS NOT AN ATTEMPT TO COLLECT A DEBT. PLEASE NOTE THAT EVEN IF YOUR DEBT HAS BEEN DISCHARGED IN BANKRUPTCY AND YOU ARE NO LONGER PERSONALLY LIABLE ON THE DEBT, THE LENDER MAY, IN ACCORDANCE WITH APPLICABLE LAW, PURSUE ITS RIGHTS TO FORECLOSE ON THE PROPERTY SECURING THE DEBT.

Rushmore Loan Management Services has completed an analysis of the escrow account. We have adjusted the mortgage payment to reflect changes in the real estate taxes and/or property insurance. The escrow items to be disbursed from the account are itemized above. If you have questions regarding this analysis, please write to our Customer Service Department at Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619, or call toll-free 1-888-504-6700.

In the event you utilize a third party to remit your payments, please inform them of the effective date of any change in your payment.

ANNUAL ESCROW ACCOUNT PROJECTION FOR THE COMING YEAR

This is an estimate of activity in the escrow account during the coming year based on payments anticipated to be made from the account.

MONTH	PAYMENTS TO ESCROW ACCOUNT	PAYMENTS FROM ESCROW ACCOUNT				ESCROW ACCOUNT BALANCE	
		MIP/PMI	TAXES	FLOOD	HAZ. INS.	SPECIAL	PROJECTED REQUIRED
STARTING BALANCE							\$4433.23 \$3176.83
FEB 20	\$352.98					\$2520.77	\$2265.44 \$1009.04
MAR 20	\$352.98						\$2618.42 \$1362.02
APR 20	\$352.98				\$1715.00		\$1256.40 \$0.00 *
MAY 20	\$352.98						\$1609.38 \$352.98
JUN 20	\$352.98						\$1962.36 \$705.96
JUL 20	\$352.98						\$2315.34 \$1058.94
AUG 20	\$352.98						\$2668.32 \$1411.92
SEP 20	\$352.98						\$3021.30 \$1764.90
OCT 20	\$352.98						\$3374.28 \$2117.88
NOV 20	\$352.98						\$3727.26 \$2470.86
DEC 20	\$352.98						\$4080.24 \$2823.84
JAN 21	\$352.98						\$4433.22 \$3176.82

*Indicates a projected low point of \$1,256.40. Under the mortgage contract, state or federal law, the lowest monthly balance should not exceed \$.00. The difference between the projected low point and the amount required is \$2,465.62. This is the surplus.

Please keep this statement for comparison with the actual activity in your account at the end of the next escrow accounting computation year.

IF THIS ESCROW ANALYSIS INDICATES THAT THERE IS A SURPLUS, IT MAY NOT MEAN THAT YOU ARE ENTITLED TO RECEIVE A RETURN OF THAT SURPLUS. THIS ANALYSIS WAS CALCULATED BASED ON AN ASSUMPTION THAT THE ACCOUNT IS CURRENT ACCORDING TO THE TERMS OF THE NOTE AND MORTGAGE/DEED OF TRUST. IF THE ACCOUNT IS BEHIND, IN DEFAULT, OR IN BANKRUPTCY, THIS ANALYSIS MAY NOT REFLECT THE CURRENT STATE OF THE ACCOUNT OR THE TERMS OF A BANKRUPTCY PLAN. IF THERE ARE ENOUGH FUNDS IN THE ESCROW ACCOUNT AND THE SURPLUS IS \$50 OR GREATER, THAT SURPLUS WILL BE MAILED TO YOU WITHIN 30 DAYS, PROVIDED THE ACCOUNT IS CURRENT UNDER THE TERMS OF THE NOTE AND MORTGAGE/DEED OF TRUST.

Loan **RedactedRedacted**

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Name: DAVID SAUNDERS

ANNUAL ESCROW ACCOUNT DISCLOSURE STATEMENT - ACCOUNT HISTORY

This is a statement of actual activity in the escrow account from 02/2019 through 01/2020. Last year's projections are next to the actual activity. The most recent mortgage payment was \$1,294.92 of which \$399.05 went to the escrow account and the remainder of \$895.87 went towards the mortgage loan. An asterisk (*) indicates a difference between a projected disbursement and actual activity.

MONTH	PAYMENTS TO ESCROW ACCOUNT		PAYMENTS FROM ESCROW ACCOUNT		DESCRIPTION	ESCROW BALANCE COMPARISON	
	PROJECTED	ACTUAL	PROJECTED	ACTUAL		PROJECTED	ACTUAL
STARTING BAL.						\$3591.46	\$4189.66-
FEB 19	\$399.05	\$757.88*	\$2516.61	\$2520.77*	TOWN/BORO	\$1473.90	\$5952.55-
MAR 19	\$399.05	\$757.88*		\$1715.00*	HAZARD INS.	\$1872.95	\$6909.67-
APR 19	\$399.05	\$757.88*	\$2272.00	*	HAZARD INS.	\$0.00	\$6151.79-
MAY 19	\$399.05	\$378.94*				\$399.05	\$5772.85-
JUN 19	\$399.05	\$378.94*				\$798.10	\$5393.91-
JUL 19	\$399.05	\$1155.54*				\$1197.15	\$4238.37-
AUG 19	\$399.05	\$3106.40*				\$1596.20	\$1131.97-
SEP 19	\$399.05	\$388.30*				\$1995.25	\$743.67-
OCT 19	\$399.05	\$1186.40*				\$2394.30	\$442.73
NOV 19	\$399.05	\$3192.40*				\$2793.35	\$3635.13
DEC 19	\$399.05	\$399.05				\$3192.40	\$4034.18
JAN 20	\$399.05	\$399.05				\$3591.45	\$4433.23

Last year, we anticipated that payments from the escrow account would be made during this period totaling \$4,788.61. The lowest monthly balance should not have exceeded \$0.00, the lowest amount required by the mortgage contract, state or federal law.

OVER THIS PERIOD, AN ADDITIONAL \$0.00 WAS DEPOSITED INTO THE ESCROW ACCOUNT FOR INTEREST ON ESCROW.

The actual lowest monthly balance was less than \$0.00. The items with an asterisk on the account history may explain this, if you would like a further explanation, please call our toll-free number: 1-888-504-6700.

ADDITIONAL NOTICES

Rushmore Loan Management Services LLC is a Debt Collector, who is attempting to collect a debt. Any information obtained will be used for that purpose. However, if you are in Bankruptcy or received a Bankruptcy Discharge of this debt, this letter is being sent for informational purposes only, is not an attempt to collect a debt and does not constitute a notice of personal liability with respect to the debt.

If you have any other mortgage loans secured by the same property not serviced by Rushmore, please contact your other servicer directly to discuss any possible loss mitigation options that may be available to you.

If you are a confirmed Successor-in-Interest who has not assumed the mortgage loan obligation under State Law, this letter is being sent for information purposes only and does not constitute personal liability with respect to the debt.

LEGAL NOTIFICATION: Rushmore Loan Management Services LLC may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

Notice of Error Resolution & Information Request Procedures

The following outlines the Error Resolution and Information Request Procedures for your mortgage account at Rushmore Loan Management Services LLC (RLMS). Please keep this document for your records.

If you think an error has occurred on your mortgage account or if you need specific information about the servicing of your loan, please write us at:

Rushmore Loan Management Services LLC

P.O. Box 52262

Irvine, California 92619-2262

All written requests for information or notices of error should contain the following information:

1. Your name
2. Account number
3. Property Address
4. Description of the error and explanation as to why you believe it is an error or a request for specific information regarding the servicing of your loan
5. Current contact information so we may follow up with you

All written requests for specific information will be handled within 30 days of receipt. We will determine whether an error occurred within 30 days after receiving your notice of error and will correct any error promptly (Notices of error on payoff statements will be handled within 7 days). If additional time is needed to investigate your complaint or request, we may take up to 45 days but we will notify you of the extension within the original 30 days. If we decide that there was no error, we will send you a written explanation. You may ask for copies of the documents that we used in our investigation.

HUD STATEMENT

Pursuant to section 169 of the Housing and Community Development Act of 1987, you may have the opportunity to receive counseling from various local agencies regarding the retention of your home. You may obtain a list of the HUD approved housing counseling agencies by calling the HUD nationwide toll free telephone at 1-800-569-4287.

Equal Credit Opportunity Act Disclosure

NOTICE: The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552.

STATE SPECIFIC NOTICES

The following notice applies to Arkansas residents only:

Please note that Rushmore Loan Management Services LLC is licensed in Arkansas and that complaints about Rushmore Loan Management Services LLC may be submitted to the Arkansas Securities Department via the Department's website (<http://www.securities.arkansas.gov/>) or toll-free 1-800-981-4429.

The following notice applies to California residents only:

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8:00 a.m. or after 9:00 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP (382-4357) or www.ftc.gov.

The following notice applies to Colorado residents only:

Please note: A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.
FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE www.coag.gov/car.
Please be advised that you can reach the Colorado Foreclosure Hotline at 1-877-601-HOPE (601-4673).

Local Rushmore Loan Management Services LLC Agent for Colorado Residents:

Irvin Borenstein
7200 S. Alton Way, #B180
Centennial, CO 80112
303-309-3839

The following notice applies to Hawaii residents only:

Rushmore is licensed by the Division of Financial Institutions for the State of Hawaii. A borrower may file a complaint about Rushmore Loan Management Services with the Commissioner:

Division of Financial Institutions
Department of Commerce and Consumer Affairs
King Kalakaua Building
335 Merchant Street, Rm. 221
Honolulu, HI 96813

The following notice applies to Massachusetts residents only:

Notice of IMPORTANT RIGHTS: You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to the creditor.

The following notice applies to North Carolina residents only:

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website, www.nccob.gov.

RUSHMORE LOAN MANAGEMENT SERVICES LLC Branch Addresses:

California Branch: 15480 Laguna Canyon Road, Suite 100, Irvine CA 92618
Texas Branch: 1755 Wittington Place, Suite 400, Dallas TX 75234
Oklahoma Branch: 2000 North Classen Blvd, Suite N3400, Oklahoma City, OK 73106

Collection Agency

CA Office License Number: **103651**

TX Office License Number: **112248**

OK Office License Number: **113559**

The following notice applies to New York residents only:

NOTICE PURSUANT TO NEW YORK STATE BANKING REGULATION 419

Rushmore is registered with the Superintendent of Banks for the State of New York. A borrower may file a complaint about Rushmore Loan Management Services with the New York State Department of Financial Services. A borrower may obtain further information from the New York State Department of Financial Services by calling the Department's Consumer Assistance Unit at 1-800-342-3736 or by visiting the Department's website at www.dfs.ny.gov.

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or www.dfs.ny.gov.

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The following notice applies to Texas residents only:

COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550.

A complaint form and instructions may be downloaded and printed from the Department's website located at www.sml.texas.gov or obtained from the department upon request by mail at the address above, by telephone at its toll-free consumer hotline listed above, or by email at smlinfo@sml.texas.gov.

The following notice applies to Oregon residents only:

Pursuant to Oregon Revised Statutes 86A.324(l)(i), the Director of the Department of Consumer and Business Services prescribed by law and pursuant to FSR 14-2019. Residential mortgage loan servicers are regulated by the Oregon Division of Financial Regulation. To file a complaint, call (888) 877-4894 or visit <http://dfr.oregon.gov>. You may also contact the Department by fax: 503-947-7862, or by mail: PO Box 14480, Salem, OR 97309-0405.

The following notice applies to Pennsylvania residents only:

The lender shall retain a security interest in the residential real estate unless and until the debt is fully satisfied and the security interest is released.

The following notice applies to Wisconsin residents only:

This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, www.wdfl.org.



P.O. Box 55004
Suite 100
Irvine, CA 92619

www.rushmorelm.com

ANTICIPATED ESCROW ACCOUNT DISBURSEMENTS

FOR BORROWERS IN BANKRUPTCY OR BORROWERS WHOSE DEBT HAS BEEN DISCHARGED IN BANKRUPTCY, THIS IS AN INFORMATIONAL STATEMENT AND IT IS NOT AN ATTEMPT TO COLLECT A DEBT. PLEASE NOTE THAT EVEN IF YOUR DEBT HAS BEEN DISCHARGED IN BANKRUPTCY AND YOU ARE NO LONGER PERSONALLY LIABLE ON THE DEBT, THE LENDER MAY, IN ACCORDANCE WITH APPLICABLE LAW, PURSUE ITS RIGHTS TO FORECLOSE ON THE PROPERTY SECURING THE DEBT.

IF THIS ESCROW ANALYSIS INDICATES THAT THERE IS A SURPLUS, IT MAY NOT MEAN THAT YOU ARE ENTITLED TO RECEIVE A RETURN OF THAT SURPLUS. THIS ANALYSIS WAS CALCULATED BASED ON AN ASSUMPTION THAT THE ACCOUNT IS CURRENT ACCORDING TO THE TERMS OF THE NOTE AND MORTGAGE/DEED OF TRUST. IF THE ACCOUNT IS BEHIND, IN DEFAULT, OR IN BANKRUPTCY, THIS ANALYSIS MAY NOT REFLECT THE CURRENT STATE OF THE ACCOUNT OR THE TERMS OF A BANKRUPTCY PLAN. IF THERE ARE ENOUGH FUNDS IN THE ESCROW ACCOUNT AND THE SURPLUS IS \$50 OR GREATER, THAT SURPLUS WILL BE MAILED TO YOU WITHIN 30 DAYS, PROVIDED THE ACCOUNT IS CURRENT UNDER THE TERMS OF THE NOTE AND MORTGAGE/DEED OF TRUST.

*If there is an amount listed in the "Actual" column under Payments To Escrow Account on Page 2 above, then this is the assumption that was made and indicates the amount that would have been paid into escrow for a contractually current loan. This number does not represent payments that were actually made by you. As discussed above, these escrow calculations are calculated based on an assumption that the account would be current according to the terms of the note and mortgage/deed of trust.



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
: **Case No.: 16-11555**
David Saunders : **Chapter 13**
Joan Saunders : **Judge Jean K. FitzSimon**
: **Debtor(s).** : *********

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Payment Change was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Scott F. Waterman, Chapter 13 Trustee, Chapter 13 Trustee, 2901 St. Lawrence Ave., Suite 100, Reading, PA 19606

Brad J. Sadek, Attorney for David Saunders and Joan Saunders, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on December 4, 2019:

David Saunders and Joan Saunders, 8122 Rugby Street, Philadelphia, PA 19150

DATE: December 4, 2019

/s/ Karina Velter

Karina Velter, Esquire (94781)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

Telephone: 614-220-5611

Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Karina Velter.

Contact email is kvelter@manleydeas.com